

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

No. 4:12-cr-20176-03

v.

D-3: JOHN JAMES MISSITTI,
Defendant.

HON. MARK A. GOLDSMITH
United States District Judge

**GOVERNMENT'S RESPONSE TO
DEFENDANT'S OBJECTIONS TO PRESENTENCE REPORT**

Defendant John Missitti has objected to the following paragraphs of the
presentence report, to which the government makes the following replies:

¶13: The parties' plea agreement does not permit defendant to argue that the number of victim investors was less than 50. The agreement does permit him to argue that the victims' losses were less than \$2,500,000. The parties are attempting to resolve that dispute, but the Court may need to decide the issue at sentencing.

¶23: Same response as ¶ 13, above.

¶24: Same response as ¶ 13, above; the parties' plea agreement does not authorize defendant to argue that the number of victims was less than 50.

¶35: Same response as ¶ 13, above.

¶42: Same response as ¶ 13, above.

¶61: The government has incomplete information as to the value of the properties and liabilities identified by defendant in this paragraph, but agrees with defendant that these properties and liabilities should be added to the PSR.

¶63: Same response as ¶13, above.

¶75: Same response as ¶13, above.

¶ 82: Same response as ¶13, above.

¶83: Same response as ¶13, above.

¶88: Same response as ¶13, above.

Dated: June 28, 2013

BARBARA L. McQUADE
United States Attorney

s/ROBERT W. HAVILAND
Assistant United States Attorney
600 Church Street
Flint, MI 48502
Phone: (810)766-5031
Fax: (810)766-5427
robert.haviland@usdoj.gov
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CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2013 the foregoing document was electronically filed by an employee of the United States Attorney's Office with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Charles A. Grossmann, Attorney for Defendant.

s/ ROBERT W. HAVILAND
Assistant United States Attorney
600 Church Street
Flint, Michigan 48502
Phone: (810)766-5031
Fax: (810)766-5427
robert.haviland@usdoj.gov
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